

### **REMARKS**

In response to the Office Action mailed June 28, 2006, and in view of the Request for Continued Examination (RCE) filed concurrently herewith, Applicant respectfully requests reconsideration. Claims 1, 3-9 and 11-17 were previously pending in this application. Claims 1, 9 and 17 have been amended herein. As a result, claims 1, 3-9 and 11-17 are pending for examination with claims 1 and 9 being independent claims. No new matter has been added.

#### **Rejections Under 35 U.S.C. §103**

The Office Action rejected claims 1, 3-9 and 11-17 under 35 U.S.C. §103(a) as being unpatentable over Wells (U.S. Patent No. 6,687,325) in view of Abadeer et al. (U.S. Patent No. 5,334,880). Applicant respectfully requests reconsideration.

1. **Discussion of Wells and Abadeer et al.**

Wells describes a counter with a non-uniform digit base (Title). FIGS. 1 and 4 illustrate that one embodiment of the counter is a monotonic counter implemented in a flash EPROM (Col. 2, lines 36-48, Col. 5, lines 39-44).

Abadeer et al. describes a programmable anti-fuse circuit (Col. 3, lines 35-37). FIG. 4 of Abadeer et al. illustrates that the resistance of an anti-fuse decreases as an increased current density is applied.

2. **There is no Motivation to Modify Wells in View of Abadeer et al.**

The Office Action concedes that Wells does not teach the limitations recited in claim 1, lines 2-5. However, the Office Action states that it would have been obvious at the time the invention was made to use different types of non-volatile memories, such as the programmable antifuse circuit as disclosed in Abadeer et al. Applicant respectfully disagrees. Wells merely states that various types of non-volatile storage may be used other than an EPROM (Col. 5, lines 39-44). Wells does not teach or suggest using a programmable antifuse circuit. Therefore, Wells provides no motivation for replacing the flash EPROM of Wells with the programmable antifuse circuit of Abadeer et al. Therefore, the Office Action has failed to establish a *prima facie* case of

obviousness, and the rejection is improper. Accordingly, withdrawal of this rejection is respectfully requested.

3. The Claims Distinguish over Wells and Abadeer et al.

Even if the combination of Wells and Abadeer et al. were proper (which it is not), the claims distinguish over the combination.

Claim 1 as amended recites, *inter alia*, that the programming of said resistor is performed by temporarily submitting it to a constraint current greater than a current for which its value exhibits a maximum, the maximum resistance value being greater than a nominal resistance value exhibited by the polysilicon resistor at a constraint current lower than a current for which the polysilicon resistor's value exhibits the maximum. Neither Wells nor Abadeer et al. teaches or suggests this limitation. Rather, as illustrated in FIG. 4 of Abadeer et al., the resistance of Abadeer's anti-fuse decreases increased current density. Wells fails to remedy this deficiency of Abadeer et al. Therefore, claim 1 patentably distinguishes over the combination of Wells and Abadeer et al. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 3-8 depend from claim 1 and are therefore patentable for at least the same reasons.

Claim 9 recites, *inter alia*, that the programming of said resistor is performed by temporarily submitting the resistor to a current greater than a current for which the resistor's value exhibits a maximum, the maximum resistance value being greater than a nominal resistance value exhibited by the resistor at a current lower than a current for which the resistor's value exhibits the maximum. Neither Wells nor Abadeer et al. teaches or suggests this limitation, as should be appreciated from the discussion above with respect to claim 1. Therefore, claim 9 patentably distinguishes over the combination of Wells and Abadeer et al. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11-17 depend from claim 9 and are therefore patentable for at least the same reasons.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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